

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ILLINOIS ONE NEWS, INC.
d/b/a THE GIFT SPOT,

Plaintiff,

v.

CITY OF MARSHALL, ILLINOIS ,

Defendant.

Case No. 04-cv-4055-JPG

JUDGMENT

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of plaintiff Illinois One News, Inc. d/b/a The Gift Spot and against the defendant City of Marshall on the claim that the site plan review process in Article XVIII-A of Ordinance No. 2005-O-16, Zoning No. 2005-Z-4, is an unlawful prior restraint on the freedom of speech in violation of the First and Fourteenth Amendments; that the Court declares that the following specific language from Article XVIII-A, § 6, ¶ 5 of Ordinance No. 2005-O-16, Zoning No. 2005-Z-4, violates the First and Fourteenth Amendments: “and/or any other items required by the zoning officer”; that the Court enjoins the defendant City of Marshall from enforcing that provision of Ordinance No. 2005-O-16, Zoning No. 2005-Z-4; and

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered in favor of the defendant City of Marshall and against the plaintiff Illinois One News, Inc. d/b/a The Gift Spot on the claims that Ordinance No. 2002-O-16, Zoning No. 2002-Z-2, and other portions of Ordinance No. 2005-O-16, Zoning No. 2005-Z-4, are unconstitutional.

DATED: February 22, 2006

NORBERT JAWORSKI

**By:s/Deborah Agans, Deputy
Clerk**

Approved: s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE